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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
|-----------------|-------------|----------------------|---------------------|------------------|

09/740,375

12/19/2000

Samuel N. Zellner

00398; AT1-112

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82866 7590 04/11/2013

AT&T Legal Department - H&C

Attn: Patent Docketing

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EXAMINER

DURAN, ARTHUR D

ART UNIT

PAPER NUMBER

3682

MAIL DATE

DELIVERY MODE

04/11/2013

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

| | | | |
|------------------------------|--------------------------------------|---------------------------------------|--|
| Office Action Summary | Application No. 09/740,375 | Applicant(s) ZELLNER ET AL. | |
| | Examiner ARTHUR DURAN | Art Unit 3682 | AIA (First Inventor to File) Status No |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 March 2013.
☐ A declaration(s)/affidavit(s) under **37 CFR 1.130(b)** was/were filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 21-30 is/are pending in the application.
5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 21-30 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

* If any claims have been determined allowable, you may be eligible to benefit from the **Patent Prosecution Highway** program at a participating intellectual property office for the corresponding application. For more information, please see http://www.uspto.gov/patents/init_events/pph/index.jsp or send an inquiry to PPHfeedback@uspto.gov.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

Certified copies:

- a) ☐ All b) ☐ Some c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Interim copies:

- a) ☐ All b) ☐ Some c) ☐ None of the: Interim copies of the priority documents have been received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 3) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date ____. | 4) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claims 21-30 have been examined.

Examiner Note

Examiner notes that the BPAI fully Affirmed the rejection of this case on 2/5/10. Hence, the prior rejections of the claims dated 4/19/2007 is affirmed as properly rejected. And, the combination of Hendrey in view of Goldhaber has already been shown as proper by the BPAI. However, Applicant filed an RCE with claim amendments on 4/5/10.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hendrey (20020102993) in view of Goldhaber (5794210) in view of Florance (20030229592) in view of Operowsky (20070027621).

Claim 21: Hendrey discloses:

Sending first information about a location of the user to a content provider that provides web content to the wireless communication device (Fig. 1; Fig. 2; Paragraphs [5, 53])

Sending an indication to the content provider when the location is continuously changing (Fig. 1; [38, 41]);

Searching a database of location specific advertisements and selecting a location specific advertisement relevant to the user (Fig. 1; [32, 33, 34]),

tracking a first one of a plurality of location-specific advertisements that is associated with the location of the user and tracking that the user is at a stable location that is not continuously changing ([45, 47, 48]).

Hendrey does not explicitly disclose that the advertisements are sent when the user's location is stable. However, Hendrey discloses tracking the user being both moving and stable (see above citations), that particular indications concerning advertisements can be made when the user's location is stable at certain areas ([47]), that the various features and embodiments of the Hendrey disclosure can be utilized for targeting advertisements ([53]), that there are many variations and factors for targeting a user ([32, 33, 34, 58]) and that there are many possible variations of the Hendrey disclosure ([66]). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the information in Hendrey's Fig. 1, including whether the user is moving or the location is stable, can be utilized for targeting the user. One would have been motivated to do this in order to better target the user with items of interest. Also, one would have been motivated to do this in order to better target users who are passing near stores or in buildings nearby stores or are proximate to stores and also to better utilize the time and location information for targeting users and for determining whether to send advertising and repeat advertising to users or not.

In further reference to independent claim 1, as noted on 6/19/2007, the prior art

Hendrey renders obvious:

sending first information about a location of the user to a content provider that provides web content to the wireless communication device (Figure 1);

sending an indication to the content provider when the location is continuously changing (Figure 1; [47, 48]);

searching a first database containing a plurality of location-specific advertisements (Figure 1);

selecting a first one of the plurality of location-specific advertisements that is associated with the location of the user and is desired to be sent to the user at a stable location that is not continuously changing (Figure 1; [47, 48]); and

sending the first one of the plurality of location-specific advertisements to the wireless communication device over a communication network when the location is stable and not continuously changing (Figure 1; [47,48]).

Additionally, on 3/17/11 and 6/20/11, Applicant amended the independent claims:

“sending a pre-designated code from the service provider to the content server provider when the location is continuously changing;

searching a first database containing a plurality of location-specific advertisements, the database located on the content server, wherein receipt of the pre-designated code prevents the initiation of the searching by the content server;”.

Hendrey does not explicitly disclose sending a code when the location is changing so that the code prevents searching. However, Hendrey discloses that it is location information of the wireless device that is sent (Fig. 1) and sending location

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information from the wireless device from a service provider on a network to a content server (Fig. 1; [18-30]). And, as shown above, Hendrey discloses searching for ads to send to a moving user and determining if the user is moving or stationary to determine whether the ad is appropriate to send or not (Figs. 1, 2; and citations and explanation above). And, Hendrey discloses that a variety of factors can be used for determining targeting ([53, 32, 33, 34, 58]). Hendrey further discloses initiating the search for and providing of advertising when conditions are proper ([30, 32, 37]).

And, Florance discloses content and ads to a mobile user and that the user can use a wireless telephone or be in a vehicle (Fig. 2) and that speed of the moving user/user device should be taken account so that the direction, location, and speed of a user is taken into account when sending ads ([259]; “[259]... Thus, as the vehicle moves the system preferably takes speed and direction of travel into account when correlating data such as ads, promotions, tourist information, or other merchant or general interest information...”). And, Operowsky discloses content and ads to a mobile user (Figs. 2-5) and further discloses not presenting the ads if the user is moving or only if the user has paused (“[47]...Since some of the communications which can be displayed using the present invention...might be distracting if presented while the car is in motion, by suitable programming the present invention could include controls which limit those messages to times when the vehicle is not in motion. Thus, detailed sightseeing information could be limited to those times when the vehicle is at rest (when the vehicle has pulled off to look at the landmarks) and e-mail and advertising might be displayed when the vehicle is stopped for a traffic signal or stopped due to rush hour

congestion.”). And, Examiner interprets that the speed indicators in Florance like “80 miles an hour going South” ([259]) function as codes. These speed codes are interpreted in Florance by the server (Fig. 2) so that the “the system preferably takes speed and direction of travel into account when correlating data such as ads” ([259]) is possible. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Florance’s adjusting how or when ads are presented based on speed and Operowsky’s not sending ads to a mobile user while he is moving to Hendrey’s sending ads to a mobile user. One would have been motivated to do this in order to better provide ads at appropriate times (ad Hendrey states is desirable, [37]). Alternatively, it would have been obvious to one having ordinary skill in the art at the time of the invention to combine the features of the two inventions since the claimed invention is merely a combination of old elements, and in the combination each element merely would have performed the same function as it did separately, and one of ordinary skill in the art would have recognized that the results of the combination were predictable.

Also, Examiner notes that Applicant’s features were interpreted in light of Applicant’s Specification and Applicant’s Remarks dated 6/20/2011.

Additionally, on 3/19/2013, Applicant amended the independent claims.

Hendrey discloses obtaining, by a service provider operating on a communication network, identity information associated with a wireless communication device ([29, 32, 37]; Fig. 2, item 201; also BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey);

obtaining, by the service provider, first information about a location of the wireless communication device (BPAI AFF decision for 09740375, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey);

if the service provider determines that the location of the wireless communication device is continuously changing (BPAI AFF decision, dated 2/7/2010, page 4, Fact 4 on Hendrey and also page 9, “Hendrey describes tracking a location of a user and determining whether the location is constantly changing (FF 04).”), transmitting, by the service provider, a pre-designated code to the content server, wherein the predesignated code prevents searching by the content server of a first database containing a plurality of location specific advertisements (see citations to Florance and Operowsky above); and

if the service provider determines that the location of the wireless device is not continuously changing (BPAI AFF decision, dated 2/7/2010, page 4, Fact 4 on Hendrey and also page 9, “Hendrey describes tracking a location of a user and determining whether the location is constantly changing (FF 04), obtaining by the service provider location specific advertisement that is associated with the location of the wireless communication device (BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey), and sending the location specific ad to the wireless communication device (BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey).

Hendrey also discloses multiple servers performing the invention with communications between the servers ([30]; “[30]... tracking system 105 may comprise a single server computer, or be distributed over multiple servers...”; Fig. 1).

Hendrey does not explicitly disclose the service provider sending the first location information without including the identity information. However, Hendrey further discloses known identity information and also sending first location information (BPAI AFF decision for 09740375, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey). Hendrey further discloses targeting users based parameters, filters, preferences, and profiles ([32, 35, 37]) and hiding certain information about mobile users ([3]).

More specifically, Hendrey does not explicitly disclose transmitting without including the identity information. However, Goldhaber discloses activating and deactivating an identity-blocking option, the identity-blocking option to allow or prevent dissemination of an identity of the user to the content provider (6:61-7:7; 1:45- 13:10; 6:55-61). Goldhaber further discloses transmitting information without including the identity information (6: 25-45, "...The viewer profiles are to be private, dynamic, and interactive. The system protects member privacy while at the same time maintaining the personal information files that permit specialized targeting of ads...Profiles can be private (pseudonymous). That is, they can be used and even marketed while protecting the customer's identity. . ."). Goldhaber further discloses the user logging in before being able to perform the user functions of providing or not providing identity information (Fig. 13, item 300; Fig. 13; Fig. 12, item 206; 7:27-31). The logging in with a passcode or password functions as the user enters a code on the device. Goldhaber further discloses targeting users with content based on geographic areas (col 2, lines 27-35; col 15, lines 15-21) and that user geographic area information is known (col 13, lines 5-11). Goldhaber discloses profiling a user, targeting content or advertising to a user

based on known user information, maintaining user privacy, that user's can release user identifying information if the user so chooses (Abstract, second half; col 6, lines 22-45; col 7, lines 61-67; col 14, lines 10-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Goldhaber's transmitting user information and being able to withhold identity information to Hendrey's transmitting user information and being able to hide or conceal certain information (Hendrey, [3]). One would have been motivated to do this in order to better protect privacy (as in Goldhaber, 6:25-45).

Examiner further notes that the BPAI has already supported the combination of Hendrey in view of Goldhaber (BPAI AFF decision, dated 2/7/2010, page 6, Fact 5 on Goldhaber, "...attention brokering...and/or privacy protection in an electronic information deliver network..."; BPAI AFF decision, dated 2/7/2010, page 11, "...as unpatentable over Hendrey and Goldhaber is sustained..."). And, the claims before the BPAI concerning Hendrey in view of Goldhaber already included this "without including the identity information" feature (claim 22, page 16 dated 4/19/2007). And, the BPAI said the combination of Hendrey in view of Goldhaber is proper.

Claim 22, 23, 27-30: Hendrey further discloses targeting users based parameters, filters, preferences, and profiles ([32, 35, 37]) and hiding certain information about users ([3]).

Hendrey does not explicitly disclose not transmitting an indication of the identity of the user. However, Goldhaber discloses activating and deactivating an identity-blocking option, the identity-blocking option to allow or prevent dissemination of an

identity of the user to the content provider (6:61-7:7; 1:45- 13:10; 6:55-61). Goldhaber further discloses the user logging in before being able to perform the user functions of providing or not providing identity information (Fig. 13, item 300; Fig. 13; Fig. 12, item 206; 7:27-31). The logging in with a passcode or password functions as the user enters a code on the device.

Goldhaber further discloses targeting users with content based on geographic areas (col 2, lines 27-35; col 15, lines 15-21) and that user geographic area information is known (col 13, lines 5-11).

Goldhaber discloses profiling a user, targeting content or advertising to a user based on known user information, maintaining user privacy, that user's can release user identifying information if the user so chooses (Abstract, second half; col 6, lines 22-45; col 7, lines 61-67; col 14, lines 10-17).

Goldhaber further discloses obtaining second information about the identity of the user for a fee (col 6, line 64-col 7, line 5; col 17, lines 20-26; col 14, lines 7-10).

Goldhaber further discloses the user indicating preferences for content to be received (Fig. 7; Fig. 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Goldhaber's user being able to control the user's profile to Hendrey's targeting a user based on a user profile. One would have been motivated to do this in order to better send content of interest to the user.

Also, in further regards to claim 27, Hendrey also discloses multiple servers performing the invention with communications between the servers ([30]; "[30]...

tracking system 105 may comprise a single server computer, or be distributed over multiple servers..."; Fig. 1). Hence, the databases in Fig. 1 can be spread over multiple databases and/or servers. Also, the MPEP states that making separable is obvious (MPEP 2144.04.V.C.). So, it is obvious that there can be more than one database. Also, Hendrey discloses tracking the user's preferences and interests in a database ([32]; Fig. 1).

Claims 24, 25: In regards to claims 24, 25, Hendrey discloses that the user can be tracked as to being home or at work and that this indicates information relative to advertisements ([47]) and that the user can be targeted based on profile or preference or other information (see citations in preceding claims).

Hendrey does not explicitly disclose that the user can indicated geographic areas to receive or not receive content.

However, Goldhaber discloses that the user can indicate a criteria that is to be utilized for delivering content and/or a criteria that is to be used to prevent certain content from being delivered (Fig. 10, item 124; col 6, lines 45-61). Notice that the profile includes items to send and/or not to send and that the user can edit the profile at any time and in any manner.

Goldhaber further discloses that different servers can serve different geographic areas as well as a variety of other interest areas (col 15, lines 17-31) and that the user can indicate as interested or not interested the different interest areas of the different servers (Fig. 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Goldhaber's indicating whether to receive content or not based on different criteria and geographic area as a criteria to Hendrey's particular location relative advertisements and targeting a user based on a variety of criteria. One would have been motivated to do this in order to better present content of interest to the user.

Claim 26: Hendrey further discloses utilizing a variety of position determining methods or technologies and also that user location information can be sent periodically ([44, 47]). Notice that the location is monitored over a period of time. Hence, the location is not continually monitored but monitored at different periods in time and, hence, periodically. Also, the utilization of different location determining methods or technologies allows to Hendrey to continually monitor location information, monitor location with very short (seconds or microseconds) periodical feedback of user location, or with longer periodical feedback of user location. Also, in further regards to claim 26, Hendrey discloses that it is location information of the wireless device that is sent (Fig. 1).

Response to Arguments

Applicant's arguments with respect to the claims have been considered but are not found persuasive.

Examiner notes that the BPAI fully Affirmed the rejection of this case on 2/5/10. Hence, the prior rejections of the claims dated 4/19/2007 is affirmed as properly

rejected. And, the combination of Hendrey in view of Goldhaber has already been shown as proper by the BPAI. However, Applicant filed an RCE with claim amendments on 4/5/10.

On 3/19/2013, Applicant amended the independent claims. And, Applicant's Remarks dated 3/19/2013 address these amended features.

However, Hendrey discloses obtaining, by a service provider operating on a communication network, identity information associated with a wireless communication device ([29, 32, 37]; Fig. 2, item 201; also BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey);

obtaining, by the service provider, first information about a location of the wireless communication device (BPAI AFF decision for 09740375, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey);

if the service provider determines that the location of the wireless communication device is continuously changing (BPAI AFF decision, dated 2/7/2010, page 4, Fact 4 on Hendrey and also page 9, "Hendrey describes tracking a location of a user and determining whether the location is constantly changing (FF 04)."), transmitting, by the service provider, a pre-designated code to the content server, wherein the predesignated code prevents searching by the content server of a first database containing a plurality of location specific advertisements (see citations to Florance and Operowsky above); and

if the service provider determines that the location of the wireless device is not continuously changing (BPAI AFF decision, dated 2/7/2010, page 4, Fact 4 on Hendrey

and also page 9, “Hendrey describes tracking a location of a user and determining whether the location is constantly changing (FF 04), obtaining by the service provider location specific advertisement that is associated with the location of the wireless communication device (BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey), and sending the location specific ad to the wireless communication device (BPAI AFF decision, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey).

Hendrey also discloses multiple servers performing the invention with communications between the servers ([30]; “[30]... tracking system 105 may comprise a single server computer, or be distributed over multiple servers...”; Fig. 1).

Hendrey does not explicitly disclose the service provider sending the first location information without including the identity information. However, Hendrey further discloses known identity information and also sending first location information (BPAI AFF decision for 09740375, dated 2/7/2010, page 4, Fact 1, 2 on Hendrey). Hendrey further discloses targeting users based parameters, filters, preferences, and profiles ([32, 35, 37]) and hiding certain information about mobile users ([3]).

More specifically, Hendrey does not explicitly disclose transmitting without including the identity information. However, Goldhaber discloses activating and deactivating an identity-blocking option, the identity-blocking option to allow or prevent dissemination of an identity of the user to the content provider (6:61-7:7; 1:45- 13:10; 6:55-61). Goldhaber further discloses transmitting information without including the identity information (6: 25-45, “...The viewer profiles are to be private, dynamic, and interactive. The system protects member privacy while at the same time maintaining

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the personal information files that permit specialized targeting of ads...Profiles can be private (pseudonymous). That is, they can be used and even marketed while protecting the customer's identity. . ."). Goldhaber further discloses the user logging in before being able to perform the user functions of providing or not providing identity information (Fig. 13, item 300; Fig. 13; Fig. 12, item 206; 7:27-31). The logging in with a passcode or password functions as the user enters a code on the device. Goldhaber further discloses targeting users with content based on geographic areas (col 2, lines 27-35; col 15, lines 15-21) and that user geographic area information is known (col 13, lines 5-11). Goldhaber discloses profiling a user, targeting content or advertising to a user based on known user information, maintaining user privacy, that user's can release user identifying information if the user so chooses (Abstract, second half; col 6, lines 22-45; col 7, lines 61-67; col 14, lines 10-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Goldhaber's transmitting user information and being able to withhold identity information to Hendrey's transmitting user information and being able to hide or conceal certain information (Hendrey, [3]). One would have been motivated to do this in order to better protect privacy (as in Goldhaber, 6:25-45).

Examiner further notes that the BPAI has already supported the combination of Hendrey in view of Goldhaber (BPAI AFF decision, dated 2/7/2010, page 6, Fact 5 on Goldhaber, "...attention brokering...and/or privacy protection in an electronic information deliver network..."; BPAI AFF decision, dated 2/7/2010, page 11, "...as unpatentable over Hendrey and Goldhaber is sustained..."). And, the claims before the BPAI

concerning Hendrey in view of Goldhaber already included this "without including the identity information" feature (claim 22, page 16 dated 4/19/2007). And, the BPAI said the combination of Hendrey in view of Goldhaber is proper.

Examiner further notes that it is the Applicant's claims as stated in the Applicant's claims that are being rejected with the prior art. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In interpreting claim language, the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art is applied, taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description. See *In re Morris*, 127 F.3d 1048, 1054 (Fed. Cir. 1997). See also *In ream. Acad. of Sci. Tech. Ctr.*, 367 F.3d 1359, 1364 (Fed. Cir. 2004) and *In re Sneed*, 710 F.2d 1544, 1548 (Fed. Cir. 1983). Claims are given their broadest reasonable construction. See *In re Hyatt*, 211 F.3d 1367, 54 USPQ2d 1664 (Fed. Cir. 2000). It is Appellant's burden to precisely define the invention. See *In re Morris*, 127 F.3d 1048, 1056 (Fed. Cir. 1997).

Also, in regards to Hendrey in view of Goldhaber, Examiner notes that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

aa) Note the prior rejections with Goldhaber and features like an identity blocking option;

a) The following prior discloses features relevant to not sending ads when a user device location is continuously changing or based on speed: Cohen 6060993 at det14; Florance 20030229592 at 259; Johnson 20100131584 at 634; Hoffberg 20070063875

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ARTHUR DURAN whose telephone number is (571)272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Namrata Boveja can be reached on (571) 272-8105. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Arthur Duran
Primary Examiner
Art Unit 3682

/Arthur Duran/
Primary Examiner, Art Unit 3622
4/9/13